SECTION II—REMARKS

Applicants thank the Examiner for a thorough review, and respectfully request reconsideration of the above referenced patent application for the following reasons:

Double Patenting Rejection

The Office Action rejected claims 1, 12, 19, 30 and 36 on the grounds of non-statutory obviousness-type double patenting stating claims 1, 14, 22 and 30 are unpatentable over U.S. Patent No. 7,487,513 to Savchenko et al.

Applicants respectfully submit concurrently herewith a terminal disclaimer complying with 37 C.F.R. 1.321(c) to overcome the provisional rejection. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection.

Claims 1-4, 10, 12-15, 18-22, 25, 28, 30-33 and 36-38 rejected under 35 U.S.C. § 103(a)

The Office Action rejected claims 1-4, 10, 12-15, 18-22, 25, 28, 30-33 and 36-38 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0204645 to Sharma et al. ("Sharma") in view of U.S. Patent No. 7,475,145 to Blitzniak et al. ("Blitzniak"). Applicants respectfully disagree.

Overview of the claimed embodiment:

Applicants submit that independent claim 1 as amended herein recites a structural arrangement which is different from that of Sharma, and thus, amended independent claim 1 recites limitations which are not disclosed by Sharma. For example, independent claim 1 recites in pertinent part:

In a client-server architecture, a method comprising:

providing, at a server of the client-server architecture, a **Web service having a plurality of operations** available to a plurality of clients of the client-server architecture via a plurality of **underlying ports** of the Web service, wherein each underlying port of the Web service defines (a) the plurality of operations of the Web service available via the underlying port, (b) the communication protocol and/or bindings used by the operations available through the respective underlying port of the Web service, and (c) one or more messages used by the plurality of operations of the Web service available via the respective underlying port;

Thus, the "**operations** available" to the clients are made available via the "**underlying ports** of the Web service." Applicants further recite:

accessing, via a client of the plurality of clients in the client server architecture, a **logical port _to_ a service endpoint interface at the server**, wherein the service endpoint interface provides the plurality of clients **access to the plurality of operations** of the Web service _through_ the plurality of **underlying ports** of the Web service, and wherein the logical port comprises an abstraction of an underlying port of the plurality of underlying ports of the Web Service available to the client through the service endpoint interface;

Thus, the Web service has a plurality of operations available via the "underlying ports," and the "service endpoint interface" at the server "provides the ... clients **access to** the plurality of operations ... through the ... underlying ports of the Web service**.**" The "logical port" which is "access[ed] via a client" thus does not interface directly to the "Web service" or the "underlying ports" of the Web service, but rather, the "logical port" is "to [the] service endpoint interface" which in turn "provides ... clients access to the plurality of operations of the Web service **through** the ... underlying ports of the Web service."

Clarifying detail regarding the various roles of the elements may have obfuscated the above noted structural arrangement, and thus, to reiterate the structure as clearly as feasible, a "client" accesses the "logical port to a service endpoint interface at the server" which in turn

"provides … access to the plurality of operations of the Web service **through** the … **underlying ports** of the Web service."

Applicants further recite that the "**logical port**" comprises an "abstraction of an **underlying port** of the Web service." The "logical port" is "configur[ed]" at the client and finally the "operations of the Web service" are "access[ed] from the client … **through the logical port**," and in turn, through the "service endpoint interface" to the "underlying ports of the Web service" and thus the "operations" of the Web service. For example:

> selecting, at the client, an item of configuration information in the logical port to configure the logical port to access to the plurality of operations of the Web service from the client through the logical port to the service endpoint interface, wherein the service endpoint interface provides the access to the plurality of operations of the Web service through at least one of the plurality of underlying ports of the Web service; and
> accessing, from the client, the plurality of operations of the Web service through the logical port based on the configuration of the logical port, wherein the plurality of operations are accessed through the configured logical port to the service endpoint interface which has access to the underlying port of the Web service.

Sharma does not disclose the claimed arrangement or all the claimed limitations:

Turning now to Sharma specifically, the Office Action at page 11 states that Sharma discloses "accessing a first logical port" and makes reference to paragraph 118 of Sharma. The Office Action further states that Sharma discloses "the first logical port comprising an abstraction of an **underlying port** associated with the service endpoint interface," and again makes reference to paragraph 118 of Sharma. The Office Action then provides clarifying remarks at page 11 stating (internal parenthesis and ellipses are present in the Office Action):

> the logical service reference (i.e. the first logical port comprising an abstraction …) links to an actual representation and configuration of a corresponding service (i.e. service endpoint 555)

read as an underlying port associated with the service endpoint interface)

Thus, according to the Office Action, the "logical service reference" of Sharma equates to Applicants' "logical port" and the Office Action further interprets the "service endpoint 555" of Sharma as being equivalent to the "underlying port" claimed by Applicants.

However, if the Office Action interprets the "service endpoint 555" of Sharma as equivalent to the "underlying port" claimed by Applicants then the "service endpoint interface" element itself is missing.

The Office Action expressly states that this is its interpretation. Specifically, the Office Action at page 11, referring to the "service endpoint" of Sharma states: "read[s] as an **underlying port** associated with the service endpoint interface."

Sharma's "service endpoint interface 555" cannot be both an "underlying port" and at the same time, a "service endpoint interface." It is neither described as being both, nor could it logically be two distinctly claimed elements simultaneously. Regardless of what it is called, it must either be one or the other.

Sharma, at paragraph 118 which is relied upon by the Office Action in the rejection of independent claim 1 and quoted by the Office Action, states in pertinent part:

> [0118] In addition to tasks performed by provider 136, client 510 may incorporate the use of deployer 137 to configure the service instance and proxies created by provider 136. **For example, deployer 137 may** <u>link a service reference</u> **to an actual representation and configuration** <u>of a corresponding service</u>. This linking may be specific to the implementation of a container. For example, deployer 137 may link the logical service reference to the imported WSDL-based description of the service included in the WSDL document 550. **Deployer 137 may also provide and configure information for the service instance and service endpoint proxies**. For example, the configuration information may include the **endpoint address for** <u>service endpoint 555</u>, properties specific to a protocol 535 and underlying transport 540 that may be

used by client 510 to communicate with server 530, security information, and type mapping registry information. Deployer 137 may ensure that the configuration of a service and service proxy is based on the protocol binding specified in the WSDL description of the service included in the imported WSDL document 550. For example, the configuration of the stub instance may be that as previously described with respect to the client side API(s) 135.

Thus, the Office Action appears to interpret Sharma in the following manner:

1. Sharma's **"Actual representation"** is relied upon to anticipate Applicants' **"Web service."**

2. Sharma's **"logical service reference"** is relied upon to anticipate Applicants' **"logical port."**

3. Sharma's **"service endpoint 555"** is relied upon to anticipate Applicants' **"underlying port(s)."**

As can be seen above, because the "service endpoint 555" of Sharma is relied upon as anticipating Applicants' "underlying port(s)," the same "service endpoint 555" cannot possibly be relied upon to also anticipate the separate and distinctly claimed element which Applicants recite as a "service endpoint interface." Such an interpretation is not supported by Sharma.

Regardless of what the Office Action interprets Sharma's "service endpoint 555" to be, Sharma is nevertheless silent with respect to the "underlying ports" of the Web service having the same level of detail as Applicants expressly recite in independent claim 1.

For example, Applicants recite a Web service having a "plurality of **underlying ports**" for which Applicants have introduced further clarifying language as follows:

> ... wherein _**each**_ **underlying port** of the Web service defines **(a) the plurality of operations** of the Web service available via the underlying port, **(b) the communication protocol and/or bindings** used by the operations available through the respective underlying port of the Web service, **and (c) one or**

> more messages used **by the plurality of operations** of the Web
> service available via the respective underlying port ... .

Thus, regardless of whether the Office Action interprets Sharma's "service endpoint 555" as an "underlying port" or as a "service endpoint interface," Sharma is nevertheless silent with respect to the level of detail of each of a "plurality of **underlying ports**" to which Applicants expressly limit the scope of independent claim 1.

Because Sharma fails to disclose either the "plurality of underlying ports" or the "service endpoint interface" as claimed by Applicants, and further because Sharma is silent with respect to the level of detail Applicants recite with respect to the "underlying ports," Applicants submit that Sharma is insufficient to anticipate the limitations which Applicants recite in claim 1 as amended herein.

Blitzniak does not cure the deficiencies of Sharma because Blitzniak also fails to disclose an "underlying port of the Web service" as claimed by Applicants as defining:

> **(a) the plurality of operations** of the Web service available via the underlying port, **(b) the communication protocol and/or bindings** used by the operations available through the respective underlying port of the Web service, **and (c) one or more messages used by the plurality of operations** of the Web service available via the respective underlying port.

Because Sharma and Blitzniak fail to disclose at least one element, and/or at least one limitation which Applicants recite in amended independent claim 1, Applicants respectfully submit that claim 1 is patentable over the references and in condition for allowance. Applicants further submit that independent claims 12 and 17 which recite similar limitations, as well as those claims which depend directly or indirectly upon independent claims 12 and 17 are patentable over the references and in condition for allowance for at least the same reasons as stated above with respect to the rejection of independent claim 1 rejected under 35 U.S.C. § 103.

Claims 28-40 are canceled herein without prejudice, and thus, the rejections to such claims are rendered moot.

Accordingly, Applicants respectfully request the Examiner to withdraw the rejection to claims 1-4, 10, 12-15, 18-22, 25, 28, 30-33 and 36-38.

Remaining claims rejected under 35 U.S.C. § 103(a)

The Office Action rejected claims 5, 6, 16, 23, 24, 34 and 40 under 35 U.S.C. § 103(a) as being unpatentable over Sharma and Blitzniak, in view of U.S. Patent Application Publication No. 2003/0126136 to Omoigui ("Omoigui"). The Office Action further rejected claims 7, 17, 35 and 39 under 35 U.S.C. § 103(a) as being unpatentable over Sharma and Blitzniak, in further view of U.S. Patent Application Publication No. 2004/0172555 to Beringer et al. ("Beringer"). The Office Action finally rejected claims 8, 9, 26, and 27 under 35 U.S.C. § 103(a) as being unpatentable over Sharma and Blitzniak, in further view of U.S. Patent Application Publication No. 2004/01999636 to Brown et al. ("Brown").

Sharma, Blitzniak, Omoigui, Beringer, and Brown, whether considered individually or in any combination fail to disclose at least one element, and/or at least one limitation which Applicants recite in the rejected claims because the cited references, even in combination, fail to disclose an "underlying port of the Web service" as claimed by Applicants as defining:

> **(a) the plurality of operations** of the Web service available via the underlying port, **(b) the communication protocol and/or bindings** used by the operations available through the respective underlying port of the Web service, **and (c) one or more messages used by the plurality of operations** of the Web service available via the respective underlying port.

The above limitation is incorporated into the rejected claims either directly or indirectly through the independent claims upon which they rely, and thus, the rejected claims are patentable

over the cited references for at least the same reasons as discussed above with respect to the

rejection of independent claim 1 under 35 U.S.C. § 103.

Accordingly, Applicants respectfully request the Examiner to withdraw the rejection to

the claims.

CONCLUSION

Given the above amendments and accompanying remarks, all claims pending in the application are in condition for allowance. If the undersigned attorney has overlooked subject matter in any of the cited references that is relevant to allowance of the claims, the Examiner is requested to specifically point out where such subject matter may be found. Further, if there are any informalities or questions that can be addressed via telephone, the Examiner is encouraged to contact the undersigned attorney at (503) 439-8778.

Charge Deposit Account

Please charge our Deposit Account No. 02-2666 for any additional fee(s) that may be due in this matter, and please credit the same deposit account for any overpayment.

Respectfully Submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

/Gregory D. Caldwell/

Gregory D. Caldwell
Registration No. 39,926
Attorney for Applicants

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Date

Blakely, Sokoloff, Taylor & Zafman LLP
1279 Oakmead Parkway
Sunnyvale, CA 94085-4040
Telephone: (503) 439-8778
Facsimile: (503) 439-6073